

**Amendments to the Claims**

The following listing of claims will replace all prior versions and/or listings of claims in the application.

**Listing of Claims:**

1-14. (cancelled)

15. (previously presented): An intervertebral implant for a human spine, comprising:  
a cage element comprising a superior surface and an inferior surface, wherein the inferior surface of the cage element is configured to engage a first vertebra of the human spine, and wherein the superior surface of the cage element comprises a first opening;

an insert comprising a superior surface and an inferior surface, wherein the insert is configured to be positioned at least partially in the cage element; and

an expansion member configured to be advanced through an opening in a side of the cage element to expand the intervertebral implant by elevating the insert and moving a portion of the insert through the opening in the superior surface of the cage element, thereby increasing a height of the intervertebral implant and allowing the superior surface of the insert to engage the second vertebra of the human spine.

16. (previously presented): The intervertebral implant of claim 15, wherein intervertebral implant is configured such that the direction of movement of the expansion member is substantially perpendicular to the direction of movement of the insert.

17. (previously presented): The intervertebral implant of claim 15, wherein the expansion member is configured to be advanced between an interior surface of the cage element and the inferior surface of the insert.

18. (previously presented): The intervertebral implant of claim 15, wherein the superior surface of the insert comprises osteoconductive mesh structure.

19. (previously presented): The intervertebral implant of claim 15, wherein an interior surface of the cage element comprises a raised portion configured to inhibit backout of the expansion member after expansion of the intervertebral implant.
20. (currently amended): The intervertebral implant of claim 15, wherein expansion of the intervertebral implant increases the height of the intervertebral implant by substantially increasing the height of the expansion member.
21. (previously presented): An intervertebral implant for a human spine, comprising:  
a cage element comprising a superior surface and an inferior surface, wherein the inferior surface of the cage element is configured to engage a first vertebra of the human spine, and wherein the superior surface of the cage element comprises an opening;  
an insert comprising a superior surface and an inferior surface, wherein the insert is configured to be positioned in the cage element such that the inferior surface of the insert is inside of the cage element and the superior surface of the insert is outside of the cage element;  
and  
an expansion member configured to be advanced through an opening in a side of the cage element to elevate at least a portion of the insert through the opening in the superior surface of the cage element, thereby increasing a height of the intervertebral implant and allowing the superior surface of the insert to engage the second vertebra of the human spine.
22. (previously presented): The intervertebral implant of claim 21, wherein the intervertebral implant is configured such that the direction of movement of the expansion member is substantially perpendicular to the direction of movement of the insert.
23. (previously presented): The intervertebral implant of claim 21, wherein the expansion member is configured to be advanced between an interior surface of the cage element and the inferior surface of the insert.
24. (previously presented): The intervertebral implant of claim 21, wherein the superior surface of the insert comprises osteoconductive mesh structure.

25. (previously presented): The intervertebral implant of claim 21, wherein an interior surface of the cage element comprises a raised portion configured to inhibit backout of the expansion member after expansion of the intervertebral implant.

26. (currently amended): The intervertebral implant of claim 21, wherein increasing the height of the intervertebral implant comprises increasing the height of the intervertebral implant by substantially increasing the height of the expansion member.

27. (previously presented): An intervertebral implant for a human spine, comprising:  
a cage element with a superior surface and an inferior surface, wherein the inferior surface of the cage element comprises a first opening and the superior surface of the cage element comprises a second opening;  
a first insert configured to be positioned in the cage element proximate the first opening;  
a second insert configured to be positioned in the cage element proximate the second opening; and  
an expansion member configured to be advanced through a third opening in the cage element to expand the intervertebral implant by engaging the first insert and the second insert after the intervertebral implant is positioned between a first vertebra and a second vertebra of the human spine, wherein engaging the first insert comprises moving a portion of the first insert through the first opening of the cage element such that an inferior surface of the first insert engages the first vertebra of the human spine, and wherein engaging the second insert comprises moving a portion of the second insert through the second opening of the cage element such that a superior surface of the second insert engages the second vertebra of the human spine.

28. (previously presented): The intervertebral implant of claim 27, wherein intervertebral implant is configured such that the direction of movement of the expansion member is substantially perpendicular to the direction of movement of the first insert and the second insert.

29. (previously presented): The intervertebral implant of claim 27, wherein the expansion member is configured to be advanced between a superior surface of the first insert and an inferior surface of the second insert.

30. (previously presented): The intervertebral implant of claim 27, wherein the inferior surface of the first insert comprises osteoconductive mesh structure.
31. (previously presented): The intervertebral implant of claim 27, wherein the superior surface of the second insert comprises osteoconductive mesh structure.
32. (previously presented): The intervertebral implant of claim 27, wherein an interior surface of the cage element comprises a raised portion configured to inhibit backout of the expansion member after expansion of the intervertebral implant.
33. (previously presented): The intervertebral implant of claim 27, wherein expanding the intervertebral implant comprises increasing a height of the intervertebral implant.
34. (currently amended): The intervertebral implant of claim 27, wherein expanding the intervertebral implant comprises increasing a height of the intervertebral implant by substantially increasing a height of the expansion member.